

REMARKS

Claims 1-11 are now pending in the above-referenced application and are submitted for the Examiner's reconsideration.

Regarding the Section 112, rejection, Applicants submit that it ought to be withdrawn since one of ordinary skill in the art would have understood the claims when read in light of the specification. Applicants submit that the Examiner has read them merely in a vacuum.

As for the prior art rejection, the examiner states that the US patent 5,658,250 discloses that the recited memory is readily available by the Intel cooperation and that in paragraph 39 to 40 it is recited that a flash memory 150 preferably includes a boot program which is preferably non available. But after being programmed once this boot program is also not programmable. So that's the problem of the flash memory 150 mentioned in the Blomquist et al. document.

In the claimed invention a separate memory area exists wherein information could be stored, which means could be programmed and read but not erased. The idea is to find out if there was a manipulation and not to prevent a manipulation. So the claimed invention has one separate memory area and this area could be read out and could be programmed. So there is information which is written into this area but this area is not erasable.

In the Blomquist et al. document there is no such single area. In the Blomquist et al. document there is one area, a flash memory 150, which can be electrically erased and rewritten. On the other hand there is a boot program in this flash memory which is non erasable but also not programmable anymore, so which could only be read out when initializing and starting. In the flash memory in the Blomquist et al. document there is no area which as in our invention could be read out and wherein information could be written, but is non erasable. With regard to the claimed invention this is necessary to record a manipulation and to have an evidence, which is not erasable. So in the claimed invention if a cell of the flash memory is erased or rewritten an information maybe a single bit is programmed into the recited memory area whereby this area lacks of the possibility to erase it. There is no document in the state of the art that shows that in conjunction with each programming/reprogramming operation of the programmable memory device an information with regard to this programming/reprogramming operation is stored in a separate memory area, whereby this memory area is built up in a kind that only reading and storing of information is possible but no erasing of information. The state of the art shows no special single memory area with this features as discussed above.

In light of the foregoing, Applicants respectfully submit that all of the pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

Respectfully submitted,

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